

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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PERRY CHAMANI, et al.,

Plaintiffs,

v.

BAC HOME LOANS SERVICING, LP, et al.,

Defendants.

Case No. 2:12-cv-01197-LRH-PAL

ORDER

(Mtn. to Extend - Dkt. #75)

This matter is before the court on Plaintiff's Motion to Extend Time (Dkt. #75), filed May 12, 2014. The court has considered the Motion.

Plaintiffs Perry and Faye Chamani seek an order allowing them sixty days to retain new counsel. They represent that their counsel of record, Mr. Ian Christopherson, is incarcerated and cannot continue to represent them. LR IA 10-6(a) provides that a party who is represented by counsel cannot appear or act in the case. Additionally, LR IA 10-6(b) provides that no attorney may withdraw after appearing in a case, except by leave of court after notice has been served on the affected client and opposing counsel. However, it appears that Mr. Christopherson has been suspended from the practice of law by the State Bar of Nevada. Therefore, the court will relieve Mr. Christopherson as counsel of record and allow Plaintiffs sixty days in which to either retain new counsel or file a notice that they will proceed pro se.

Additionally, the court held a scheduling conference on September 4, 2012, and directed that the parties should meet and confer and file a proposed discovery plan and scheduling order within fourteen days of the district judge's decision on the pending dispositive motions. In an Order (Dkt. #45) entered November 29, 2012, the district judge denied Plaintiffs' Motion to Remand (Dkt. #18), and the following day allowed Plaintiffs ten days to file an amended complaint. Plaintiffs filed a Second Amended Complaint (Dkt. #48) on December 4, 2012.

1 Defendants MTC Financial Inc. and First Service Residential Realty filed Answers (Dkt. ##60,
2 66). None of the parties have complied with the court's Order (Dkt. #45) or Local Rule 26 and
3 filed a proposed discovery plan and scheduling order in this case.

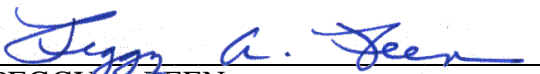
4 On July 15, 2013, the district judge entered an Order (Dkt. #73) granting Defendant BAC
5 Home Loans Servicing, LP's Motion to Dismiss (Dkt. #53). No further action was taken in this
6 case, and on April 14, 2014, the Clerk of the Court entered a Notice (Dkt. #74) advising the
7 parties that if no action was taken in this case within thirty days, it would ask the court to dismiss
8 the case for want of prosecution.

9 Having reviewed and considered the matter,

10 **IT IS ORDERED:**

- 11 1. The Motion to Extend (Dkt. #75) is GRANTED to the extent that Plaintiffs shall have
12 until **June 16, 2014**, in which to file a statement that they will proceed pro se or retain
13 counsel who shall file a notice of appearance in accordance with the Local Rules.
14 2. The parties shall file a proposed discovery plan and scheduling order no later than
15 **June 30, 2014**, or the court will enter its standard order.

16 DATED this 14th day of May, 2014.

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19 PEGGY A. LEEN
UNITED STATES MAGISTRATE JUDGE